

1 THE HONORABLE JAMES L. ROBART
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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 UNITED STATES OF AMERICA, } No. CR18-046-JLR
8 } Plaintiff, } ORDER GRANTING THE
9 } v. } UNOPPOSED MOTION TO
10 } ARNOLD JOSEPH CHEER III, } CONTINUE TRIAL AND PRETRIAL
11 } Defendant. } MOTIONS DEADLINE

12 THE COURT has considered the unopposed motion of the parties to continue
13 the trial date and pretrial motions deadline and finds that:

14 (a) taking into account the exercise of due diligence, a failure to grant a
15 continuance in this case would deny counsel for the defendant the reasonable time
16 necessary for effective preparation due to counsel's need for more time to review the
17 evidence, consider possible defenses, and gather evidence material to the defense, as set
18 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

19 (b) a failure to grant such a continuance in this proceeding would likely result in
20 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

21 (c) the additional time requested is a reasonable period of delay, as the defendant
22 has requested more time to prepare for trial, to investigate the matter, to gather evidence
23 material to the defense, and to consider possible defenses; and

24 (d) the ends of justice will best be served by a continuance, and the ends of
25 justice outweigh the best interests of the public and the defendant in any speedier trial,
26 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of April 30, 2018 and the new trial date is necessary to provide counsel for the defendant the reasonable time necessary to prepare for trial, considering counsel's schedule and all of the facts set forth above; and

(f) the period of delay from the date of this order to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the trial date in this matter shall be continued to December 3, 2018, and that pretrial motions shall be filed no later than

18 October 2018. JLR

DONE this 3rd day of April, 2018.

8. 

JAMES L. ROBART

JAMES L. ROBART
UNITED STATES DISTRICT JUDGE

Presented by:

s/ *Sara Brin*
Assistant Federal Public Defender
Attorney for Arnold Joseph Cheer III

**ORDER TO CONTINUE TRIAL AND
PRETRIAL MOTIONS DEADLINE - 2**

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